

FIFTY-THIRD DAY.**(Continued)**

Senate Chamber,
Austin, Texas,
April 24, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem. K. M. Regan.

House Bill No. 266.

Pending business was H. B. No. 266.

Senate Resolution No. 84.

Senator Small sent up the following resolution:

Whereas, It has been called to the attention of this body that certain bills have been introduced in the Legislature of the State of Illinois, including Senate Bills Nos. 184 and 272 and House Bills 423, 693 and 740, any of which bills, if enacted, would result in the levy of a tax of 5 cents to 10 cents on each one thousand cu. ft. of natural gas distributed in that State, much if not all of which gas is transported to Illinois from Texas gas fields, and

Whereas, By reason of the very narrow margin of profit realized from the production of gas in Texas and its transportation to Illinois, the levy and collection of these proposed taxes, or any of them, would destroy the business of those transporting gas from Texas to Illinois, and thus deprive numerous citizens of Texas of their market for natural gas and at the same time deprive millions of citizens and many industries of Illinois of the comfort and conveniences of natural gas in their homes and places of business, and

Whereas, The practical result of the levy and collection of these taxes would be to place a complete boycott against the sale and distribution of Texas gas in the State of Illinois, which situation would stir up resentment among the people of Texas which in all probability would cause retaliatory measures against the sale and distribution of enormous quantities of Illinois products, including meats and meat products, farm implements and machinery, for which products Texas has long constituted one of the best and most extensive markets available to the people of Illinois, and thus bring about a situa-

tion most undesirable from the standpoint of each of said great States: Now therefore be it

Resolved by the Senate of Texas, That the serious consequences of the levy and collection of the taxes contemplated in the above mentioned bills be and same are, with great respect, called to the attention of the Legislature of the great State of Illinois, with the hope that it will refrain from the levy and collection of any of the proposed taxes, and thus make it possible and desirable that the great states of Illinois and Texas may continue to enjoy the highly satisfactory commercial relations which they have had and enjoyed for the past century. Be it further

Resolved, That copies of this resolution be forwarded by the Secretary of the Senate of Texas respectively to the President of the Senate, the Speaker of the House, the Chairman of the Senate Committee on Public Utilities, the Chairman of the Senate Committee on Revenue and the Chairman of the House Committee on Public Utilities and Transportation, Springfield, Illinois.

SMALL.

Read.

Senator Small moved that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 84 be taken up and considered at this time.

The motion prevailed by viva voce vote.

S. R. No. 84 was adopted by viva voce vote.

Motion to Suspend Rule.

Senator Hornsby received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Isbell.

Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.

Regan.
Sanderford.
Shivers.
Small.
Stone.
Van Zandt.
Westerfeld.
Woodruff.

Nays—2.

DeBerry. Sulak.

Absent—Excused.

Fellbaum.

Senate Bill No. 518.

By Senator Hornsby:

S. B. No. 518, A bill to be entitled "An Act exempting from taxation institutions or organizations such as Texas Federation of Women's Clubs of Texas or local organizations of such a body; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

House Bill No. 266.

Pending business was H. B. No. 266.

Senator Small yielded to Senator Burns.

House Bill No. 185.

Senator Burns received unanimous consent to suspend the regular order of business and take up H. B. No. 185.

House Bill No. 185.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Jefferson, Mr. Reader, Mr. Dickison, and Mr. Spears:

H. B. No. 185, A bill to be entitled "An Act to amend Section 15, paragraph 3, of the Acts of the Regular Session of the Forty-third Legislature, relating to the appointment of grand jury bailiffs of the Criminal District Court of Bexar County."

(With committee amendments.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted by viva voce vote.

The bill was read second time and passed to third reading.

On motion of Senator Burns the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 185 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent.

DeBerry. Regan.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent.

Regan.

Absent—Excused.

Fellbaum.

Senate Resolution No. 85.

Senator Hornsby sent up the following resolution:

Whereas, Professor Don Cude, superintendent of Marble Falls Public Schools and his class in Govern-

ment are visiting in their Capitol City, and are now in the Senate Gallery; now, therefore be it

Resolved, by the Senate That they be invited to occupy seats in the rear of the Senate Chamber as our guests and that they be given an opportunity to see and hear real legislative action "close up," and that Prof. Cude be invited to address the Senate.

HORNSBY.

Read and unanimously adopted.

Motion to Recess.

Senator Oneal at 12:03 moved that the Senate recess until 2:00 o'clock p. m.

Motion to recess pending.

Senate Bill No. 491.

Senator Neal moved that the Senate do concur in House amendments to S. B. No. 491.

The motion prevailed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Motion to Suspend Rule.

Senator Hornsby received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—30.

Beck.	Burns.
Blackert.	Collie.

Cotten.	Pace.
Davis.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent—Excused.

Fellbaum.

Senate Bill No. 519.

By Senator Hornsby:

S. B. No. 519, A bill to be entitled "An Act authorizing Commissioners' Courts to purchase out of the general fund half-ton trucks to be used by the respective commissioners in the discharge of their duties, and declaring an emergency."

Read and referred to the Committee on State Affairs.

House Bill No. 386.

Senator Stone received unanimous consent to suspend the regular order of business and to take up out of order H. B. No. 386.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Ash:

H. B. No. 386, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for barter or sale after the passage of this Act, for a period of five years, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 386 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Burns.
Blackert.	Collie.

Cotten.	Pace.
Davis.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Recess.

The motion to recess prevailed by viva voce vote.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem. K. M. Regan.

Point of "No Quorum."

Senator Woodruff raised the point of "no quorum."

The roll call disclosed a quorum present.

House Bill No. 266.

Senator Small sent up the following amendment for committee substitute for H. B. No. 266:

Amend committee substitute H. B. No. 266, as follows:

Strike out all below the enacting clause and add in lieu thereof the following:

Section 1. Declaration of Policy: In recognition of past, present, and imminent evils occurring in the production and use of natural gas, as a result of waste in the production and use thereof in the absence of correlative opportunities of owners of gas in a common reservoir to produce and use the same, this law is enacted for the protection of public and private interests against such evils by prohibiting waste and compelling ratable production.

Sec. 2. Article 6008 of the Revised Civil Statutes of Texas of 1925 as amended by Chapter 26, Acts of the First Called Session of the Forty-second Legislature, as amended by Chapter 100, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 88, Acts of the First Called Session of the Forty-third Legislature, is hereby amended so as to hereafter read as follows:

Article 6008. Unless the context otherwise requires, the words defined in this Section shall have the following meaning when used in this Article to wit:

(a) "Commission" means the Railroad Commission of Texas;

(b) "Person" means any natural person, corporation association, partnership, receiver, trustee, guardian, executor, administrator and a fiduciary or representative of any kind;

(c) The term "Common Reservoir" as used in this Article shall mean any oil and/or gas field or part thereof which comprises and includes any area which is underlaid, or which from geological or other scientific data or experiments or from drilling operations or other evidence appears to be underlaid by a common pool or accumulation of oil and/or gas;

(d) The term "gas well" is any well (a) which produces natural gas only, or (b) which produces more than 100,000 cubic feet of natural gas to each barrel of crude petroleum oil from the same producing horizon, or (c) which produces natural gas from a formation or producing horizon productive of gas only

encountered in a well bore through which crude petroleum oil also is produced through the inside of another string of casing.

(e) The term "oil well" is any well which produces one barrel or more of crude petroleum oil to each 100,000 cubic feet of natural gas.

(f) "Dry Gas" is any natural gas produced from a stratum that does not produce crude petroleum oil.

(g) The term "sour gas" shall mean any natural gas containing more than one and one-half grains of hydrogen sulphide per one hundred (100) cubic feet or more than thirty (30) grains of total sulphur per one hundred (100) cubic feet, or gas which in its natural state is found by the commission to be unfit for use in generating light or fuel for domestic purposes.

(h) The term "sweet gas" shall mean all natural as except "sour gas" and "casinghead gas."

(i) The term "casinghead gas" shall mean any gas and/or vapor indigenous to an oil stratum and produced from such stratum with oil.

(j) The term "natural gasoline" shall apply to gasoline manufactured from casinghead gas or from any natural gas.

(k) For the purposes of this Article, by the term "cubic foot of gas" is meant volume of gas expressed in cubic feet and computed at a base pressure of four ounces (4 ozs.) per square inch above the average barometric pressure of 14.4 pounds per square inch, a standard base and flowing temperature of sixty (60) degrees Fahrenheit; correction to be made for pressure according to Boyle's Law, and for specific gravity according to test made by the Balance Method.

Sec. 3. The production, transportation, or use of natural gas in such manner, in such amount, or under such conditions as to constitute waste is hereby declared to be unlawful and is prohibited. The term "waste" among other things shall specifically include:

(a) The operation of any oil well, or wells with an inefficient gas-oil ratio.

(b) The drowning with water of any stratum or part thereof capable of producing gas in paying quantities.

(c) Underground waste or loss however caused and whether or not defined in other subdivisions hereof.

(d) Permitting any natural gas well to burn wastefully.

(e) The creation of unnecessary fire hazards.

(f) Physical waste or loss incident to, or resulting from, so drilling equipping, or operating well or wells as to reduce or tend to reduce the ultimate recovery of natural gas from any pool.

(g) The escape into the open air, from a well producing both oil and gas, of natural gas in excess of the amount which is necessary in the efficient drilling or operation of the well.

(h) The production of natural gas in excess of transportation or market facilities, or reasonable market demand for the type of gas produced.

(i) The use of natural gas for the manufacture of carbon black without first having extracted the natural gasoline content from such gas.

(j) The use of sweet gas produced from a gas well for the manufacture of carbon black.

(k) Permitting any natural gas produced from a gas well to escape into the air before or after such gas has been processed for its gasoline content.

(l) The production of natural gas from a well producing oil from a stratum other than that in which the oil is found, unless such gas is produced in a separate string of casing from that in which the oil is produced.

(m) The production of more than 100,000 cubic feet of gas to each barrel of crude petroleum oil unless such gas is put to one or more of the uses authorized for the type of such gas so produced under allocations made by the Commission.

Sec. 4. (a) If oil and/or gas be produced through different strings of casing set in the same well bore, the inner string through which oil and/or gas be produced shall be regarded as one well, and each successive additional string of casing through which oil and/or gas shall be produced, from a different producing horizon, the others producing through the same well bore, shall be regarded as another well.

(b) No person in possession of or operating any oil well shall produce from such well natural gas found in a horizon productive of natural gas only.

Sec. 5. The Commission is given authority to fix and determine the gas-oil ratio of all oil wells in this State, but nothing in this act shall be construed to authorize the limitation of the production of marginal wells, as such marginal wells are defined, below the amount fixed by statute. If any restriction imposed by the Commission upon the production of oil from any oil well operates to increase the gas-oil ratio of such well so as to then classify it as a gas well under the provisions of this Article, such well shall be deemed to be an oil well nevertheless.

Sec. 6. The Commission shall make and enforce rules, regulations, or orders for the conservation of natural gas, to prevent the waste thereof, and otherwise to accomplish the purposes of this Article, including rules, regulations, or orders for the following purposes:

(1) To prevent the waste, as hereinbefore defined, of natural gas in drilling and producing operations and in the piping and distribution thereof.

(2) To require dry or abandoned wells to be plugged in such way as to confine natural gas, and water in the strata in which they are found and to prevent them from escaping into other strata.

(3) For the drilling of wells and preserving a record thereof.

(4) To require wells to be drilled and operated in such manner as to prevent injury to adjoining property.

(5) To prevent natural gas and water from escaping from the strata in which they are found into other strata.

(6) To require records to be kept and reports made.

(7) To provide for the issuance of permits, and other evidences of permission when the issuance of such permits, or permission is necessary or incident to the enforcement of its blanket grant of authority to make any rules necessary to effectuate the law.

Sec. 7. After the expiration of ten (10) days from the time of encount-

ering gas in a gas well, no gas from such well shall be permitted to escape into the air, and all gas produced therefrom shall be utilized for the following purposes:

(1) No sweet gas shall be utilized except for:

(a) Light or fuel.

(b) Efficient chemical manufacturing, other than the manufacture of carbon black.

(c) Bona fide introduction of gas into oil, or gas bearing horizon, in order to maintain or increase the rock pressure or otherwise increase the ultimate recovery of oil or gas from such horizon.

(d) The extraction of natural gasoline therefrom when the residue is returned to the horizon from which it is produced.

(2) In addition to the purposes for which sweet gas produced from a gas well may be used, sour gas may be used for efficient chemical manufacturing purposes including the manufacture of carbon black provided it is utilized in a plant producing a recovery of not less than one pound of carbon black to each one thousand (1000) cubic feet of gas, and provided further that the gasoline content is removed and saved from such sour gas before the same is utilized for carbon black.

(3) Casinghead gas may be used for any beneficial purpose, which includes the manufacture of natural gasoline.

(4) Any producer of either sweet or sour gas or casinghead gas may use the same as gas lift in the bona fide production of oil where such gas is not used in excess of ten thousand (10,000) cubic feet per barrel of oil produced; provided that in order to prevent waste in any case where the facts in such case warrant it, the Commission may permit the use of additional quantities of gas to lift oil, provided all such gas so used in excess of 10,000 cubic feet for each barrel of oil shall be processed for natural gasoline and the residue burned for carbon black when same is reproduced.

Sec. 8. It shall be the duty of all persons, companies or corporations producing natural gas from any gas well to ascertain and determine during the months of January, and July, respectively, of each year hereafter, through appropriate tests, to be made

in the presence of and under the supervision of a representative of the Commission, and under uniform and generally recognized methods, and under regulations which shall be prescribed by the Commission, the open flow and rock pressure of each gas well from which natural gas shall be produced, and verified reports thereof shall be filed with the Commission on or before the 10th day of each of the months aforesaid; which said reports shall be kept on file with the Commission and shall become a permanent public record and shall be open to the inspection and examination of the public, and which said reports shall disclose the name of the representative of the Commission who was actually present when such tests were made. If any person producing gas from the same common reservoir be dissatisfied with the test as made and reported, such person may demand a second test to be made in the manner herein provided and in the presence of such person or his representative.

Sec. 9. The Railroad Commission shall require one of its duly authorized agents to inspect, read or test any meter, or meters, through which natural gas is being measured, or gauged, upon the request of any lessor, lessee, operator, or royalty owner from whose land, lease, or royalty interest natural gas is being produced.

Sec. 10. It shall be the duty of the Commission to prorate and regulate the daily gas well production from each common reservoir in the manner and method herein set forth. The Commission shall prorate and regulate such production for the protection of public and private interests:

(a) In the prevention of waste as "waste" is defined herein;

(b) In the adjustment of correlative rights and opportunities of each owner of gas in a common reservoir to produce and use or sell such gas as permitted in this Article.

Sec. 11. The Commission shall exercise the authority to accomplish the purpose designated under item (a) of Section 10 when the presence or imminence of waste is supported by a finding based upon the evidence introduced at a hearing to be held as herein provided.

The Commission shall exercise the authority to accomplish the purpose designated under item (b) of Section 10 when evidence introduced at a hearing to be held as herein provided will support a finding made by the Commission that the aggregate lawful volume of the open flow or daily potential capacity to produce of all gas wells located in a common reservoir, is in excess of the daily reasonable market demand for gas from gas wells that may be produced from such common reservoir, to be utilized as permitted in this Article.

Sec. 12. On or before the 20th day of each calendar month the Commission shall hold a hearing after notice has been given, as provided by law, for the purpose of determining the aggregate daily capacity to produce of all gas wells in a common reservoir, and as nearly as possible, the daily volume of gas from each common reservoir that will be produced from gas wells during the following month to be utilized as permitted in this Article. Upon such determination, the Commission, based upon evidence introduced at such hearing, shall allocate to each gas well producing gas from such common reservoir a percentage of the daily productive capacity of each well which may be produced daily during the following month from each gas well producing gas from such common reservoir. Such percentage of the daily producing capacity of each well shall be regarded as its daily allowable production of such daily volume required for utilization from such common reservoir. The daily allowable production of each gas well shall be computed and allocated as provided in Sections 13 and 14.

Sec. 13. In determining the daily allowable production for each gas well the Commission shall take into account the size of the tract segregated with respect to surface position and common ownership upon which such gas well or wells are located; the relation between the daily producing capacity of each gas well and the aggregate daily capacity of all gas wells producing the same kind of gas in the same common reservoir or zone; and all other factors which are pertinent; provided that the Commission shall not take

into account the size of the tract upon which any gas well or wells are located in excess of the efficient drainage area of such well or wells, producing at 25% of the daily productive capacity, which drainage area shall be determined by the Commission. In ascertaining the drainage area of a well, the Commission shall take into account such factors as are reflected in the productive capacity of a gas well, including formation pressure, the permeability and porosity of the producing formation, and the well bore's structural position, together with all other factors taken into account by a reasonably prudent operator in determining the drainage area for a gas well.

Sec. 14. It shall be the duty of the Commission, after notice and hearing, to ascertain and determine the reasonable market demand for gas from gas wells to be used for light and fuel purposes and for all other lawful purposes to which sweet gas may be put under the terms of this Article and by proper order to restrict the production of gas from all gas wells in said field producing such gas to an amount equal to market demand or to an amount which may be produced without waste as otherwise defined; provided, however, the production of such gas shall in any event be restricted to the amount of the reasonable market demand therefor. In such order the Commission shall allocate, distribute or apportion the total allowable production from such field among the various gas wells affected by the order on a reasonable basis, and as provided in Section 13. It shall likewise be the duty of the Commission to prorate the daily gas well production of sour gas produced from each common reservoir of sour gas in this State. The hearing for such purpose shall be held at the same time as the hearing pertaining to the proration of sweet gas well production. The proration of sour gas well production shall be accomplished according to the manner and method herein provided for the proration of sweet gas well production.

Sec. 15. Nothing contained in this Article shall require that the production from any gas well with a daily natural open flow of two hundred thousand (200,000) cubic feet of natural gas or more to be restricted to a quantity less than fifty

thousand (50,000) cubic feet of natural gas daily; and nothing herein shall require that the production from any gas well with a daily natural open flow of less than two hundred thousand (200,000) cubic feet of gas be reduced to a quantity less than twenty-five (25%) per cent of its natural open flow.

In all common reservoirs producing both sweet and sour gas, no gas well shall be permitted to produce in excess of 25 per cent of its daily productive capacity; provided the Commission, upon a finding that reservoir conditions require that such percentage be increased to prevent waste, and that such increase will not create a drainage condition as between sweet and sour gas lands, may authorize an increase in such allowable production. Where the allowable production theretofore allocated to any well is more than 15 per cent of its daily producing capacity, and the Commission finds that the production of its daily allowable from such well will cause waste due to the intermingling of sweet and sour gas, the Commission may order the production from such well restricted to 15 per cent of its daily producing capacity, but this sentence shall not be construed to militate against the right of the Commission to fix the allowable production of any well below 15 per cent of its daily producing capacity in carrying out the requirements of Sections 13 and 14 of this Act.

Sec. 16. It shall be unlawful for any person to produce gas from a gas well as herein defined in excess of the daily allowable production in such schedule of allowable production. The rate of production from any gas well shall be deemed to be the average daily rate of production for the month.

Sec. 17. Where gas is produced from one stratum and oil and gas is produced from another stratum in the same well bore, the Commission shall take into account the amount of gas produced from the oil stratum in determining the amount of gas that may be produced from the stratum producing gas only and may subtract the amount of the casing-head gas produced from the dry gas that would be allocated to said well if it produced dry gas and may restrict the dry gas production accordingly.

Sec. 18. When unforeseen contin-

gencies increase the demand for gas required by any distributor, transporter or purchaser to an amount in excess of the total allowable production of the wells to which he is connected, such distributor, transporter or purchaser is authorized to increase his take ratably from all such wells in order to supply his demand for gas, provided, however, that notice of such increase and the amount thereof shall be given to the Commission within five days; and provided further that the Commission, at its next hearing, shall adjust the inequality of withdrawals caused by such increase in fixing the allowable production of the various wells in the common reservoir or zone.

Sec. 19. If the Commission finds upon consideration of the evidence introduced at a hearing that either or both of the purposes designated under Section 10 of this Article may be more adequately accomplished by zoning a common reservoir, the Commission shall zone such common reservoir. If the Commission zones such common reservoir, each zone shall be regarded as a separate common reservoir in making allocations of daily allowable production as provided in this Article. The Commission shall allocate to each zone its just proportion of the market demand for gas from the common reservoir, and shall establish appropriate rules and regulations applicable to each zone and shall have the right to adjust its orders to the practicable conditions which exist and to enter any reasonable order which is necessary to effectuate the purpose of this law. The Commission is expressly authorized to segregate a sour gas area from a sweet gas area and shall not be required to restrict the allowable production of the sour gas zone to the same percentages that may be produced from the sweet gas zone.

Sec. 20. In the event the Commission finds that the owner of any gas well has failed or refused to utilize or sell the allowable production from his well when such owner has been offered a connection or market for such gas at a reasonable price, such well shall be excluded from consideration in allocating the daily allowable production from the reservoir or zone in which same is located until the owner thereof signifies to the Commission his desire

to utilize or sell such gas. In all other cases all gas wells shall be taken into account in allocating the allowable production among wells producing the same type of gas.

Sec. 21. In order that land owners and operators that have undeveloped land within a proven natural gas field may secure a market for their natural gas, and in order that the market for natural gas may be more equitably distributed among the various land owners and operators, and in the interest of the conservation and development of natural gas, it is declared to be lawful for any two or more lessors, lessees, operators, or other persons, firms, or corporations owning or controlling production, leases, royalties or other interests in the separate properties of the same producing gas field, with the approval of the Attorney General of Texas, to enter into agreements for the purpose of bringing about cooperative development and/or operation of all or a part, or parts of such field, or for the purpose of fixing the time, location and manner of drilling and operating wells for the production, storage, marketing or the repressuring of gas, or for the purpose of the equitable distribution of royalty payments. Any such agreement shall bind only the parties thereto, and their successors and assigns of such having knowledge or notice thereof, and shall be enforceable in an action for specific performance.

Sec. 22. The Commission shall be vested with a broad discretion in administering this law, and to that end shall be authorized to adopt any and all rules, regulations or orders which it finds are necessary to effectuate the provisions and purposes of said law.

Sec. 23. Any person violating any of the provisions of this Article shall be liable to a penalty not to exceed One Thousand Dollars (\$1,000.00) for each offense, and each day's violation shall be a separate offense. Such penalty may be recovered by the State of Texas with the cost of suit in a civil action instituted in Travis County or in the county where the violation occurred by the Attorney General or by the county or district attorney; and any and all violations or threatened violations of this Article may be enjoined by any court of competent

jurisdiction in which the suit for penalty may be brought, and in such cases the court may issue such writs of injunction, mandatory or prohibitory, as the facts justify.

Sec. 24. Any person may appeal for judicial review from any rule, order, or regulation of the Commission made and promulgated under the authority conferred by this Article, in the same manner, upon the same conditions and to the same court or courts as prescribed in this Chapter for appeals from other rules, regulations or orders of the Commission, promulgated under the general Oil Conservation Statutes of this State.

Sec. 25. All laws or parts of laws in conflict with any of the provisions of this Act are hereby expressly repealed; provided that on account of the absence of pipe lines necessary to accomplish transportation of gas to carbon black plants from many areas producing sour gas in one or more of the common reservoirs of this State and inasmuch as many wells producing sweet gas are without market outlet for gas used as light and fuel which will require considerable time to make connection after hearing to determine the allowable production, it is provided that gas from a well producing sour gas only may be utilized as provided in said Article 6008 of the Revised Civil Statutes of 1925 as amended by Acts of the First Called Session of the Forty-second Legislature, as amended by Acts of the Regular Session Forty-third Legislature as aforesaid, until October 1, 1935, and the gas from a well producing sweet gas may be utilized as authorized under said Act as amended until August 1, 1935, at which time this Article shall be effective as to sweet gas wells; provided, however, that nothing in this Act contained shall repeal, modify or impair any of the provisions of House Bill 782, relating to oil and gas conservation, enacted at this session of the Legislature, or shall impair the power of the Commission, proceeding under the oil and gas conservation laws of this State, to prevent waste.

Sec. 26. If any section or sections, clause, sentence or provision of this Article should, for any reason, be held to be invalid or unconstitutional, it shall not affect in anywise the remaining parts of this Article, not so held, and all that

portion not held invalid shall remain in full force and effect.

Sec. 27. The presence and imminence of evils occurring in the production and use of natural gas as a result of the waste in the production and use thereof in the absence of correlative opportunities of owners of gas in the common reservoirs of this State to produce and use the same, have created an emergency and imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three separate days in each House, and said rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

SMALL.

Senator Small moved that the amendment be adopted in lieu of the committee substitute.

The motion prevailed by viva voce vote.

Senator Small moved the adoption of the substitute in lieu of H. B. No. 266.

The motion prevailed by viva voce vote.

Amend C. S. H. B. No. 266 by adding sub-sections (5) and (6) to Section 7, as follows:

Sub-sec. 5. For two years from the effective date hereof this Act shall not apply to wells now producing gas containing distillate from a depth of 6500 feet or more below the surface of the earth when the Railroad Commission, after a hearing shall find:

(a) That said wells are producing from a stratum or formation not connected with a producing oil field or pool;

(b) That it is physically impracticable to return the gas to the same producing stratum or formation;

(c) That not to exceed 25% of the open flow of such wells shall be produced and all of such production shall be processed through a gasoline plant manufacturing gasoline, kerosene, naphtha, and gas oil; and

(d) That there is not an available market for the residue gas from such plant;

Provided, however, that the total production from all such wells in a common field or pool shall not exceed 80,000,000 cubic feet of gas per day of twenty-four hours, which production shall be allocated or apportioned among the producing wells

therein as provided in this Act.

Sub-sec. 6. This Act shall not apply to wells already completed and now producing from a depth of 5000 feet or more below the surface of the earth from a stratum now producing substantial quantities of water, and which have been operated as oil wells and producing petroleum recovered as a liquid in the separator at the time of production in substantial quantities prior to the passage of this Act, and producing not less than two-thirds of a gallon of natural gasoline per one thousand cubic feet of gas, so long as they produce from the same stratum from which they are now producing and so long as their production of gas does not exceed fifty thousand cubic feet of gas per barrel of total petroleum liquid (determined by adding the quantity of liquid produced in the separator to the quantity of natural gasoline manufactured from such gas); and their operation in connection with a gasoline absorption plant is hereby authorized.

HOLBROOK,
BLACKERT.

Read and pending.

Senate Resolution No. 86.

Senator Burns received unanimous consent to suspend the regular order of business and sent up the following resolution:

Be it resolved by the Senate of Texas, That a committee of three Senators be appointed to arrange for having photographs made of the Governor, Lieutenant Governor, and Senators and Secretary of Senate of the Forty-fourth Legislature and hung in the Senate Chamber.

BURNS,	HOPKINS,
SANDERFORD,	ONEAL,
BLACKERT,	POAGE,
MARTIN,	COLLIE,
HILL,	ISEBELL,
DAVIS,	STONE,
SULAK,	HORNSBY,
VAN ZANDT,	DUGGAN,
COTTEN,	RAWLINGS,
MOORE,	BECK,
REDDITT,	PACE,
NEAL,	DeBERRY.
SHIVERS,	

Senator Burns moved that the Senate rule requiring resolutions to be referred to a committee be suspended

and that S. R. No. 86 be taken up and considered at this time.

The motion prevailed.

S. R. No. 86 was unanimously adopted.

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. B. No. 242, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas of 1925, as amended by Act of the Forty-third Legislature, approved March 10, 1933, relating to the administration of the affairs of private corporations in receivership, by providing that corporations organized and existing under Section 68 of Article 1302, Chapter 1 of Title 32, and under Title 112, of the Revised Civil Statutes of Texas, shall be exempt from certain of its provisions; and declaring an emergency."

S. B. No. 274, A bill to be entitled "An Act authorizing the State Board of Education to establish independent school districts upon any military reservations located within the State of Texas upon such terms and conditions which may be agreed upon by the State Board of Education and the military authorities; provided such districts may be entitled to enumerate its scholastics, to share in the State per capita apportionment; etc., and declaring an emergency."

S. B. No. 491, A bill to be entitled "An Act changing the time of holding the terms of the District Court in the 49th Judicial District, and providing that all processes and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties composing said district, together with jurors heretofore selected, are valid and returnable to the first term of such court, after this Act takes effect, and providing for the continuation of the existing district

courts in said counties in session when this Act takes effect, to the end of their terms; repealing all conflicting laws; fixing the effective date of this Act, and declaring an emergency."

(With amendments.)

S. B. No. 505, A bill to be entitled "An Act authorizing the Lower Colorado River Authority to issue bonds not to exceed twenty million dollars (\$20,000,000) in aggregate principal amount, repealing that portion of the Colorado River Authority Act limiting the amount of bonds which may be issued by such district to ten million dollars (\$10,000,000), and all other laws in conflict herewith, and declaring an emergency."

S. C. R. No. 42, Endorsing Miss Margie Neal for membership on the Federal Social Security Board.

S. J. R. No. 6, A joint resolution "Proposing an amendment to the Constitution of the State of Texas by adding to Article XVI another section, Section 61, providing for abolishing the fee method of compensating all district officers of this State and county officers in counties of this State having a population of twenty thousand (20,000) or more, and providing that all such district and county officers be paid on a salary basis, and providing that all precinct officers may be compensated on a fee basis, or on a salary basis and authorizing the commissioners court to determine whether certain county and precinct officers shall be paid on a fee basis or a salary basis."

(With amendments.)

H. J. R. No. 9, Proposing an amendment to Section 26 of Article III of the Constitution of Texas, by adding thereto Section 26a, providing that under no apportionment shall any county be entitled to more than seven representatives unless the population of such county shall exceed seven hundred thousand people, etc.

(With engrossed rider.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House

has concurred in Senate amendments to H. B. No. 185 by a vote of 118 yeas and 2 nays.

The House has adopted the following resolution:

H. C. R. No. 96, Authorizing the Enrolling Clerk of the House to add the emergency clause to H. B. No. 185.

The House has passed the following resolution:

S. J. R. No. 18, A joint resolution "Proposing an amendment to Section 48, Article III of the Constitution of the State of Texas, authorizing the establishment of Teachers' Retirement Systems, and making an appropriation for the election."

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Resolutions Referred.

H. J. R. No. 9, referred to the Committee on Constitutional Amendments.

H. C. R. No. 94, referred to the Committee on Agriculture.

H. C. R. No. 96.

Senator Woodruff received unanimous consent to suspend the regular order of business to take up H. C. R. No. 96.

The Chair laid before the Senate H. C. R. No. 96, "Authorizing the Enrolling Clerk of the House to add the emergency clause to H. B. No. 185."

Senator Woodruff moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 96 be taken up and considered at this time.

The motion prevailed.

H. C. R. No. 96 was adopted unanimously.

House Bill No. 266.

The question recurred on the adoption of the pending amendment by Senators Holbrook and Blackert.

Senator Sulak sent up the following:

Substitute for Holbrook amendment to C. S., H. B. No. 266.

Amend C. S., H. B. No. 266 by adding sub-section (5) and (6) to Section 7, as follows:

Sub-Section 5. For two years from the effective date hereof this Act shall not apply to wells now producing gas containing distillate from a depth of 4800 feet or more below the surface of the earth when the Railroad Commission, after a hearing shall find:

(a) That said wells are producing from a stratum or formation not connected with a producing oil field or pool;

(b) That it is physically impracticable to return the gas to the same producing stratum or formation;

(c) That not to exceed 25% of the open flow of such wells shall be produced and all of such production shall be processed through a gasoline plant manufacturing gasoline, kerosene, naphtha, and gas oil; and

(d) That the market value of gasoline, kerosene, naphtha, and gas oil produced from one thousand cubic feet of gas is greater, after processing cost is deducted, than the market value per one thousand cubic feet of natural gas from such well or wells.

Provided, however, that the total production from all such wells in a common field or pool shall not exceed 80,000,000 cubic feet of gas per day of twenty-four hours, which production shall be allocated or apportioned among the producing wells therein as provided in this Act.

Sub-Section 6. This Act shall not apply to wells already completed and now producing from a depth of 4800 feet or more below the surface of the earth from a stratum now producing substantial quantities of water, and which have been operated as oil wells and producing petroleum recovered as a liquid in the separator at the time of production in substantial quantities prior to the passage of this Act, and producing not less than two-thirds of a gallon of natural gasoline per one thousand cubic feet of gas, so long as they produce from the same stratum from which they are now producing and so long as their production of gas does not exceed fifty thousand cubic feet of gas per barrel of total petroleum liquid (determined by adding the quantity of liquid produced in the separator to the quantity of natural gasoline manufactured from such gas) and their operation in con-

nection with a gasoline absorption plant is hereby authorized.

SULAK.

Read and pending.

Senator Van Zandt received unanimous consent to have the following amendment printed in the Journal:

Amend C. S., H. B. No. 266 by adding subsections (5) and (6) to Section 7, as follows:

(5) "The Commission is hereby authorized in its discretion to make exceptions to the provisions of this act for gas wells now producing, providing that after a hearing the following conditions and circumstances are found to exist, and provided that such power granted the commission shall only exist for a period of two years from the date of the passage of this Act.

The conditions and circumstances under which the commission is authorized to make exceptions as contemplated by the preceding paragraph are as follows:

a. That the wells are producing gas containing distillate from a depth of sixty-five hundred feet or more below the surface of the earth;

b. That it is feasibly and physically impracticable to return the gas to the same producing stratum or formation;

c. That said wells are producing from a stratum or formation not connected with a producing oil field or pool;

d. That not to exceed 25% of the open flow of such wells shall be produced and all of such production shall be processed through a gasoline plant manufacturing gasoline, kerosene, naphtha and gas oil;

e. That there is not an available market for the residue gas from such plant upon a ratable production basis as determined by the commission under the terms of this Act; and

f. That the total production from all such wells in a common field or pool shall not exceed 80,000,000 cubic feet of gas per day of twenty-four hours.

(6) The commission is also empowered, subject to the restrictions and limitations as defined in subsection 5 above to make exceptions for wells provided after a hearing the following conditions are found to exist, to wit:

That the wells have been and are now producing from a depth of 5000 feet or more below the surface of the earth from a stratum now producing substantial quantities of water, and have been operated as oil wells and producing petroleum recovered as a liquid in the separator at the time of production in substantial quantities prior to the passage of this Act, and are producing not less than two-thirds of a gallon of natural gasoline per one thousand cubic feet of gas, and such wells will continue to produce from the same stratum from which they are now and have been producing and their production of gas will not exceed fifty thousand cubic feet of gas per barrel of total petroleum liquid (determined by adding the quantity of liquid produced in the separator to the quantity of natural gasoline manufactured from such gas)."

VAN ZANDT.

Senator Poage received unanimous consent to have the following amendment printed in the Journal.

Amend C. S., H. B. No. 266 by striking out all of Section 26 and insert in lieu thereof the following:

"Section 26: It is hereby declared to be the intention of the Legislature to enact Section 7 of this Act only in conjunction with Sections 10, 11, 12, 13, 14, 16, 19, 21, 22 and 23 hereof, and it is intended by the Legislature that the validity of said Section 7 of this Act shall depend upon the validity of each of the other sections above mentioned and the Legislature would not have enacted said Section 7 in the absence of any one of such sections. In event Sections 10, 11, 12, 13, 14, 16, 19, 21, 22 and 23 of this Act or any of such sections should at any time for any reason be held to be invalid or unconstitutional by the Supreme Court of Texas, or by the Supreme Court of the United States, it is hereby declared to be the intent of the Legislature that Section 7 of this bill should be likewise considered invalid and of no further force and effect."

POAGE.

Motion to Recess.

Senator Beck at 5:10 o'clock p. m., moved that the Senate recess until 10:00 o'clock a. m. Thursday.

The motion prevailed.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 17 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 42 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 242 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, Your Committee on Enrolled Bills, have had S. B. No. 506 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 274 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Reports.

(Majority Report.)

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, a majority of the Committee on Civil Jurisprudence, to whom was referred

S. B. No. 72, A bill to be entitled, "An Act regulating the practice of submitting Special Issues in trial of civil cases in the District and County Court, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

SMALL, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, a minority of the Committee on Civil Jurisprudence, to whom was referred

S. B. No. 72, A bill to be entitled "An Act regulating the practice of submitting Special Issues in trial of civil cases in the District and County Court, and declaring an emergency."

Have had the same under consideration, and we beg to report back with the recommendation that it do pass and be printed.

WESTERFELD,
HORNSBY.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 20, A joint resolution. "Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court of nine members."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it be laid on the table.

BLACKERT, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 23, A joint resolution "Proposing an amendment to Article 5 of the Constitution of the State of Texas, by adding a new section to be known as Section 3-a, providing how interlocutory injunctions, sustaining or restraining enforcement, operation

or execution of any Statute of this State or of the United States, based upon the ground of the unconstitutionality of such Statute, may be issued, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in bill form.

BLACKERT, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 25, A joint resolution "Proposing to repeal Article V of the Constitution of the State of Texas, the same being the Article creating the Judiciary Department of the State and to adopt and enact a new Article V in lieu thereof, reorganizing the Judiciary Department of the State of Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in bill form.

BLACKERT, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 16, A joint resolution, "Proposing an amendment to the Constitution of the State of Texas by adding to Article 16 another Section, Section 61, providing for four year term for all elective state, district, county and precinct officers, except where otherwise provided in the Constitution the term of office is fixed at more than four years, etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in bill form.

BLACKERT, Chairman.

Committee Room,

Austin, Texas, April 20, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Con-

stitutional Amendments to whom was referred

S. J. R. No. 19, A joint resolution, "Proposing amendment to Section 2 of Article 5 of the Constitution of the State of Texas, so as to provide that the Supreme Court shall consist of a Chief Justice and eight Associate Justices with power to call in not more than six Court of Civil Appeals Judges or district court judges to assist in the work of the Supreme Court if the docket of said Court should at any time become congested; to provide the means of electing said Judges to said Supreme Court, a quorum therein, the number of judges sitting at any one time and their terms of office; and proposing an amendment to Article 5 of the Constitution of the State of Texas, by adding thereto another section to be known as Section 6-a, to give the members of the Court of Civil Appeals, when a member of that Court has been called to assist in the work of the Supreme Court, the power to call a district judge from that Supreme Judicial District to take the place of the member of the Court of Civil Appeals while he is serving on the Supreme Court."

Have had same under consideration and beg leave to report back to the Senate with the recommendation that it do not pass, but that the attached committee substitute do pass in lieu thereof, and be printed in bill form.

BLACKERT, Chairman.

Committee Room,
Austin, Texas, April 24, 1935.
Hon. K. M. Regan, President Pro Tem.
of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 164, A bill to be entitled, "An Act to amend Subdivision 3 of Article 3883, of Section 1, of Chapter 220, of Acts of the Forty-third Legislature, of the State of Texas, Regular Session, 1933, page 734, by raising the salaries of Justices of the Peace and Constables in certain counties, and providing for excess fee remuneration; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 490, A bill to be entitled "An Act amending Article 6674k, of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 346, A bill to be entitled "An Act amending Section 2, of Chapter 109, Acts of the First Called Session of the Forty-third Legislature by providing that negotiable warrants and obligations issued under subdivision (b) thereof may be sold for not less than par value to the Federal Government, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 348, A bill to be entitled "An Act providing that all bonds, notes or warrants heretofore issued or which have been authorized but not yet issued or which may be hereafter issued under the provisions of Articles 1111 to 1118, etc., and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 349, A bill to be entitled,
"An Act to amend Article 704, Re-
vised Civil Statutes of Texas of 1925,
etc., and declaring an emergency."

Have had the same under considera-
tion, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 344, A bill to be entitled
"An Act validating, legalizing and ap-
proving severally all the acts of the
Board of Regents of the University of
Texas, etc., and declaring an emer-
gency."

Have had the same under consid-
eration, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 350, A bill to be entitled
"An Act validating, ratifying and ap-
proving and confirming bonds and
other instruments or obligations here-
tofore, issued by water control and
improvement district, etc., and de-
claring an emergency."

Have had the same under consid-
eration, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 351, A bill to be entitled
"An Act validating and approving all

proceedings had by cities and towns
in the issuance and sale of revenue
bonds under the provisions of Articles
1111 to 1118, etc., and declaring an
emergency."

Have had the same under considera-
tion and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 345, A bill to be entitled
"An Act validating all school districts
heretofore established validating all
elections and the levy of taxes by
school districts, etc., and declaring
an emergency."

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your, Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 343, A bill to be entitled
"An Act validating and approving all
acts of the governing bodies of cities
and towns of the State of Texas in
the issuance and sale of bonds, etc.,
and declaring an emergency."

Have had the same under consid-
eration, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 654, A bill to be entitled
"An Act to amend Article 4299, Title
69, of the Revised Civil Statutes of the
State of Texas, Revision of 1925, and
declaring an emergency."

Have had the same under considera-
tion, and I am instructed to report it

back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 653, A bill to be entitled "An Act to amend Article 4291, Title 69 of the Revised Civil Statutes of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 650, A bill to be entitled "An Act to amend Article 3476, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 649, A bill to be entitled "An Act to amend Article 3317, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 648, A bill to be entitled "An Act to repeal Article 3316, Title 54, of the Revised Civil Statutes of

the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments.

SMALL, Chairman.

Committee Amendment.

Amend H. B. No. 648, by striking the words "at each regular term of his Court for probate business" and inserting in lieu thereof the following: "On the first day of each regular term of his court."

SMALL, Chairman.

Committee Room,

Austin Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 652, A bill to be entitled "An Act to amend Article 4231, Title 69, of the Revised Civil Statutes of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment.

SMALL, Chairman.

Committee Amendment.

Amend H. B. No. 652 by re-writing Article 4231 to read as follows:

"Article 4231. Service. Three copies of such notice shall be duly posted for at least ten (10) days before the return day thereof in three public places in the County, one at the Court House door, and two others at public places not in the same city or town."

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 642, A bill to be entitled "An Act to amend Article 3430 of the Revised Civil Statutes of Texas, 1925, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 643, A bill to be entitled
"An Act to amend Article 3576 of the
Revised Civil Statutes of Texas, 1925,
as amended by Acts of 1929, Forty-first
Legislature, etc., and declaring an
emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass and
be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 531, A bill to be entitled
"An Act to amend Article 3396, Title
54, of the Revised Civil Statutes of
the State of Texas, Revision of 1925,
and declaring an emergency."

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 532, A bill to be entitled
"An Act to amend Article 1870 of the
Revised Civil Statutes of Texas, Re-
vision of 1925, and declaring an em-
ergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back with the recommenda-
tion that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 533, A bill to be entitled
"An Act to repeal Article 566 of Title
18, of the Revised Civil Statutes of
Texas, of 1925, and declaring an em-
ergency."

Have had the same under considera-
tion, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 534, A bill to be entitled
"An Act to amend Article 567 of Title
18 of the Revised Civil Statutes of
the State of Texas of 1925, and de-
claring an emergency."

Have had the same under considera-
tion and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 535, A bill to be entitled
"An Act to amend Article 8003, of the
Revised Civil Statutes of Texas, Re-
vision of 1925, and declaring an emer-
gency."

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
H. B. No. 537, A bill to be entitled
"An Act to amend Article 3337, Title
54, of the Revised Civil Statutes of
the State of Texas, Revision of 1925,
and declaring an emergency."

Have had the same under considera-
tion, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and be
printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil

Jurisprudence, to whom was referred H. B. No. 538, A bill to be entitled "An Act to amend Article 3336, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 539, A bill to be entitled "An Act to repeal Article 3303, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 540, A bill to be entitled "An Act to amend Article 3311, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 541, A bill to be entitled "An Act to amend Article 3334, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, as amended, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 542, A bill to be entitled "An Act to amend Subdivision 17 of Article 2092 of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 646, A bill to be entitled "An Act to amend Article 3417, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 647, A bill to be entitled "An Act to amend Article 3420, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 203, A bill to be entitled

"An Act to validate all proceedings and acts of governing bodies of cities containing a population of not more than eleven thousand (11,000), etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 536, A bill to be entitled "An Act to amend Article 5675 of Title 93 of the Revised Civil Statutes of Texas, of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 485,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SANDERFORD, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 503,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SANDERFORD, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Banking, to whom was referred H. B. No. 530,

Have had the same under con-

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SANDERFORD, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We your Committee on Education, to whom was referred

H. B. No. 492, A bill to be entitled "An Act to amend Article 2696, of the Revised Civil Statutes of Texas, of 1925, relating to the transfers of children from an independent school district or other school districts in any county, to some other independent district or other district in the same county, and providing that the per capita apportionment shall be paid by the State Treasurer to the independent school district to which the child is transferred, or to the county superintendent in all other districts, to be distributed by said county superintendent, and providing for an appeal from the acts of the county superintendent to the county board of trustees in all cases when an independent, or other district shall be dissatisfied with the action of the county superintendent in the transfers made by said county superintendent, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas April 24, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We your Committee on Education, to whom was referred

H. B. No. 158, A bill to be entitled "An Act to provide free tuition for all pupils over six (6) years of age and not over twenty-one (21) years of age in certain school districts, and to provide for attendance of rural pupils or of other pupils in high schools at the expense of their home districts and of the State; for transfer of pupils to high schools and payment of tuition of such pupils; authorizing boards of trustees to fix tuition and prescribing maximum tuition to be paid receiving high schools by the State; providing any

obligation of the State referred to herein shall be paid from the Rural Aid Fund; providing this Act shall not apply to counties having a county equalization fund used in whole or in part for rural high school tuition fees; for certification of eligibility of pupils for tuition privileges in the high schools and for filing of budgets of sending districts with State Department of Education; providing for report to State Department of Education; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 320, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, common consolidated independent school districts, county line school districts, and rural high school districts, and all other school districts, whether created by General or Special law or by County Boards of Trustees; providing no transfer of territory is validated by the Act unless authorized by an affirmative vote of voters in such district; validating the acts of said county boards of trustees and boards of trustees of such districts; validating all proceedings and Acts of said boards of trustees; validating all bonds voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exemption, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 614, A bill to be entitled "An Act to provide for the renewal and extension of Oil and Gas Permit No. 11,752 on a portion of the Pecos River bed, providing for the placing of all income therefrom, and for all income from oil and gas development from river beds in Texas, in the Permanent School Fund, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

REGAN, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 178, A bill to be entitled "An Act to amend Section 1, Chapter 56, Acts of the Fortieth Legislature, Article 7589-a, Vernon's Revised Civil Statutes of Texas, of 1925, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REGAN, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 278, A bill to be entitled "An Act ratifying and confirming a compact entered into by and between representatives of the State of Texas and the State of New Mexico authorized by Act of the Regular Session of the Forty-second Legislature and approved by the Governor on May 27, 1931, as shown in Chapter 251, Acts of the Forty-second Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REGAN, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 867, A bill to be entitled "An Act creating a conservation and reclamation district to be known as 'Lower Rio Grande Flood Control District,' pursuant to and for the purposes set forth in Section 59, of Article XVI, of the Constitution of the State of Texas, and to be a Governmental agency, body politic and corporate without power to mortgage its property, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REGAN, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 77, A bill to be entitled "An Act creating a Conservation and Reclamation District composed of the Counties of Coke and Tom Green, to be known as the Upper Colorado River Authority, pursuant to and for the purposes set forth in Section 59-a of Article 16 of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage or encumber any of its property, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be not printed.

REGAN, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 77, page 12, Section 7, line 12, by striking out the words "county jail" and inserting in lieu thereof the following: "State penitentiary."

Committee Amendment No. 2.

Amend H. B. No. 77, by putting a comma after the word "adequate" in line 14, Section 8, page 12, and

adding the following: "In addition to funds received from tax diversion."

Committee Amendment No. 3.

Amend H. B. No. 77, by adding after the word "properties" in Section 9, line 16, page 14, the following: "including funds received by reason of diversion of taxes."

Committee Amendment No. 4.

Amend H. B. No. 77, by adding at the conclusion of Section 11, page 20, the following words: "of the State of Texas."

Committee Amendment No. 5.

Amend H. B. No. 77, by striking out the word "interest" in Section 17-a, line 8, page 24, and inserting in lieu thereof the word "principal."

Committee Amendment No. 6.

Amend H. B. No. 77, Subsection (a) of Section 2, page 3, by adding after the word "purpose" in both the second and third lines from the bottom of said page, the words "or purposes."

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tempore of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 223, A bill to be entitled "An Act amending Chapter 116, Acts of the First Called Session of the Forty-third Legislature, and levying an annual occupation tax upon coin-operated vending machines; defining 'coin-operated vending machines'; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended by committee amendments Nos. 1 and 2 and be printed in bill form.

PACE Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 820, A bill to be entitled "An Act amending Title 26 of the

Revised Civil Statutes of Texas, of 1925, as amended by Chapter 66, H. B. No. 122, of the General and Special Laws of the Forty-third Legislature, Second Called Session, page 146; amending Article 925-a of said H. B. No. 122 by providing that a perpetual care cemetery association or corporation in operation on March 15, 1934, shall be regarded as legal under its organization plan under said Title 26, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended by committee amendments Nos. 1 and 2, and be printed.

PACE, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 820 as follows:
By striking out Section 1-a thereof.

Committee Amendment No. 2.

Amend the caption of H. B. No. 820 so as to conform to the body of the bill after Section 1-a is stricken therefrom.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 514, A bill to be entitled "An Act defining certain words, terms, and phrases as used in the Act; conferring the right of eminent domain on all agencies, bodies and corporations engaged in public works projects; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended by committee amendment, and be printed.

PACE, Chairman.

Committee Amendment.

Amend S. B. No. 514 by striking out the words enclosed in parenthesis in the fourth line of Section 2, and inserting in lieu thereof the following:

"except property already dedicated to a public use, including lands held or used for cemetery purposes."

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 513, A bill to be entitled "An Act granting to A. T. Sayers, and as next friend for Leonard Sayers, a minor, of San Antonio, Bexar County, Texas, permission to bring suit against the State of Texas and/or the State Highway Department in the District Court of Bexar County, Texas, for damages sustained to his automobile and for personal injuries to said Leonard Sayers, on account of the negligence of an employee of the State Highway Department; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 66, A bill to be entitled "An Act amending Section 3, H. B. No. 578, Chapter 153, as passed by the Acts of the Regular Session, Forty-third Legislature, 1933, as amended by H. B. No. 20, Chapter 90, Section 3, Acts Forty-third Legislature, 1933, First Called Session, providing that the payment of cigarette tax shall be evidenced by stamps furnished by the Treasurer; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 166, A bill to be entitled "An Act amending Article 3832, Title 57, 1925, Revised Civil Statutes of the State of Texas, adding thereto other forms and kinds of personal property that shall be reserved to

every family, exempt from attachment or execution and every other species of forced sale for the payment of debts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 862, A bill to be entitled "An Act making it an offense for any person to forge the name of any agent, officer or employee of the Railroad Commission of Texas to a permit or tender of the Railroad Commission of Texas relating to crude petroleum oil or natural gas or any product or by-product of either; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 510, A bill to be entitled "An Act to amend Article 1656a, Title 34, Subdivision 2, Revised Civil Statutes of Texas of 1925, being H. B. No. 875, Chapter 98, page 217, General and Special Laws enacted by the Forty-third Legislature at its Regular Session, 1933, providing that the county auditor in certain counties shall prescribe the system, forms, and reports to be used in connection with the receipt and disbursement of county revenues, funds, fees, and moneys received and disbursed by county and precinct officers so as to include the District Clerk and District Attorney, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 608, A bill to be entitled "An Act to amend Section 10 of Chapter 42 of the Acts of the Forty-third Legislature, Regular Session, pages 49-50, amending Section 10, of Chapter 42, with reference to the salary to be paid the Deputy Clerk of the County Court of Jefferson County at Law; providing that if any part of this Act be declared invalid the remainder of the Act shall not be affected, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on State Affairs,
Held April 23, 1935.—Regular
Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Martin, Moore, Oneal, Rawlings, Redditt, Regan, Ehivers, Small, Stone, Sulak.

Absent—Excused: Fellbaum.

S. B. No. 514 was reported favorably by viva voce vote with the recommendation it be printed as amended.

by viva voce vote with the recommendation it be printed.

H. B. No. 66 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 166 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 862 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 510 was reported favorably by viva voce vote with the recommendation it be printed.

H. B. No. 608 was reported favorably by viva voce vote with the recommendation it be not printed.

H. B. No. 820 was reported favorably as amended by committee amendments Nos. 1 and 2 by viva voce vote with recommendation it be printed.

H. B. No. 223 was reported favorably as amended by committee amendments Nos. 1 and 2 by viva voce vote with recommendation it be printed.

S. B. No. 513 was reported favorably by viva voce vote with the recommendation it be printed.

W. S. REEVES, Secretary.

Minutes of Committee on Civil Jurisprudence Held April 23, 1935.

Called Meeting.

Present: Small, Davis, Hill, Hornsby, Moore, Rawlings, Redditt, Shivers, Van Zandt, Westerfeld.

Absent—Excused: Blackert, Collie, Fellbaum, Hopkins, Oneal.

H. B. No. 536 was reported favorably by viva voce vote.

H. B. No. 203 was reported favorably by viva voce vote.

H. B. No. 647 was reported favorably by viva voce vote.

H. B. No. 646 was reported favorably by viva voce vote.

H. B. No. 542 was reported favorably by viva voce vote.

H. B. No. 541 was reported favorably by viva voce vote.

H. B. No. 540 was reported favorably by viva voce vote.

H. B. No. 539 was reported favorably by viva voce vote.

H. B. No. 538 was reported favorably by viva voce vote.

H. B. No. 537 was reported favorably by viva voce vote.

H. B. No. 535 was reported favorably by viva voce vote.

H. B. No. 534 was reported favorably by viva voce vote.

H. B. No. 533 was reported favorably by viva voce vote.

H. B. No. 532 was reported favorably by viva voce vote.

H. B. No. 531 was reported favorably by viva voce vote.

H. B. No. 643 was reported favorably by viva voce vote.

H. B. No. 642 was reported favorably by viva voce vote.

H. B. No. 652 was reported favorably by viva voce vote, with amendments.

H. B. No. 648 was reported favorably by viva voce vote, with amendments.

H. B. No. 649 was reported favorably by viva voce vote.

H. B. No. 650 was reported favorably by viva voce vote.

H. B. No. 653 was reported favorably by viva voce vote.

H. B. No. 654 was reported favorably by viva voce vote.

S. B. No. 72 was reported unfavorably by viva voce vote, with a notice of minority report given.

S. B. No. 343 was reported favorably by viva voce vote.

S. B. No. 345 was reported favorably by viva voce vote.

S. B. No. 351 was reported favorably by viva voce vote.

S. B. No. 350 was reported favorably by viva voce vote.

S. B. No. 344 was reported favorably by viva voce vote.

S. B. No. 349 was reported favorably by viva voce vote.

S. B. No. 348 was reported favorably by viva voce vote.

S. B. No. 346 was reported favorably by viva voce vote.

S. B. No. 490 was reported adversely by a vote of 4 nays, 1 aye.

S. B. No. 347 was laid on the table subject to call.

S. B. No. 342 was indefinitely postponed.

HERMAN B. HILL, JR., Secretary.

FIFTY-THIRD DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 25, 1935.

The Senate met at 10:00 o'clock a. m., pursuant to recess, and was called to order by Senator Frank Rawlings, Acting President Pro Tem.

House Bill No. 66.

Motion to re-refer.

Senator Redditt asked unanimous consent to have H. B. No. 66 re-referred to the Committee on Finance.

Consent was granted.

House Bill No. 266.

Pending business was the substitute amendment by Senator Sulak for the pending amendment by Senator Holbrook to H. B. No. 266.

House Bill No. 406.

Senator Redditt received unanimous consent to suspend the regular order of business and to take up H. B. No. 406.

The Chair laid before the Senate on its second reading the following bill: